

MINUTES OF COUNCIL REGULAR MEETING – FEBRUARY 23, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, FEBRUARY 23, 2010, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR PRO TEM RUSHTON CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Corey Rushton
Russ Brooks
Steve Buhler
Carolynn Burt
Don Christensen
Steve Vincent

Russ Willardson, Acting City Manager
Sheri McKendrick, City Recorder

ABSENT: Mike Winder

STAFF PRESENT:

Jim Welch, Finance Director
John Evans, Fire Chief
Richard Catten, City Attorney
Nicole Cottle, CED Director
Layne Morris, Community Preservation Director
Kevin Astill, Parks and Recreation Director
Mike Wells, Acting Police Chief
Aaron Crim, Administration
Jake Arslanian, Public Works Department

14833 **OPENING CEREMONY**

The Opening Ceremony was conducted by Carolynn Burt who read an inspirational poem entitled, "Invictus" by William Ernest Henley.

14834 **SCOUTS**

Mayor Pro Tem Rushton welcomed Scout Troop Nos. 664 and 46 in attendance to completed requirements for the Citizenship in the Community and Communications merit badges.

14835 **APPROVAL OF MINUTES OF REGULAR MEETING HELD FEBRUARY 9, 2010**

The Council read and considered the Minutes of the Regular Meeting held February 9, 2010. There were no changes, corrections or deletions.

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After discussion, Councilmember Christensen moved to approve the Minutes of the Regular Meeting held February 9, 2010, as written. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

14836

COMMENT PERIOD

Upon inquiry by Mayor Pro Tem Rushton, the following individual addressed the City Council during the comment period:

Dawn Hales, 4085 S. Killarney Circle, addressed the City Council. Ms. Hales stated she represented neighbors of the Westshire Subdivision who were petitioners for a sound wall regarding properties backing onto 4100 South to mitigate traffic noise. Ms. Hales discussed negative impacts and disruption to neighbors due to increased traffic and noise. She presented a petition to the City Recorder along with a letter from the Utah Department of Transportation to one of her neighbors, Helen Wilkinson.

14837

ORDINANCE NO. 10-04, AMEND SECTIONS 19-2-1201 AND 19-2-1207 OF TITLE 19 OF THE WEST VALLEY CITY MUNICIPAL CODE AND REPEAL SECTIONS 19-2-1202, 19-2-1203, 19-2-1204, 19-2-1205, 19-2-1206, 19-2-108, AND 19-2-109 OF TITLE 19 OF THE WEST VALLEY CITY MUNICIPAL CODE TO UPDATE THE SIDEWALK ORDINANCE

Acting City Manager, Russ Willardson, presented proposed Ordinance No. 10-04 which would amend Sections 19-2-1201 and 19-2-1207 of Title 19 of the West Valley City Municipal Code and repeal Sections 19-2-1202, 19-2-1203, 19-2-1204, 19-2-1205, 19-2-1206, 19-2-108, and 19-2-109 of Title 19 of the West Valley City Municipal Code to update the Sidewalk Ordinance.

Mr. Willardson stated the City's current Sidewalk Ordinance did not accurately reflect contemporary uses of sidewalks. He further stated the current ordinance contained many references to historical uses of sidewalk, including but not limited to, horse carts and names of dated games, such as games of gall and quoits. He indicated in order to make the ordinance more understandable and update the

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regulations to accurately reflect current needs with respect to sidewalks, staff had drafted an update to the ordinance.

After discussion, Councilmember Burt moved to approve Ordinance No. 10-04, an Ordinance Amending Sections 19-2-1202 and 19-2-1207 of Title 19 of the West Valley City Municipal Code and Repealing Sections 19-2-1202, 19-2-1203, 19-2-1204, 19-2-1205, 19-2-1206, 19-2-108 and 19-2-109 of Title 19 of the West Valley City Municipal Code to Update the Sidewalk Ordinance. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

14838

RESOLUTION NO. 10-19, APPROVE A COOPERATIVE AGREEMENT WITH THE UTAH DEPARTMENT OF TRANSPORTATION FOR DESIGN AND CONSTRUCTION OF THE 1200 WEST CONNECTOR ROAD

Acting City Manager, Russ Willardson, presented proposed Resolution No. 10-19 which would approve a Cooperative Agreement with the Utah Department of Transportation for design and construction of the 1200 West Connector Road.

Mr. Willardson stated the project would be financed primarily from Federal aid highway funds. He indicated that through the Wasatch Front Regional Council (WFRC) the 1200 West Connector Road had been selected to be funded. He reported the total project estimate was in the amount of \$3,195,323.00 with the Federal share being \$2,979,000.00, and the City's matching funds at 6.77%, totaling \$216,323.00. He indicated the subject agreement would release the Federal funds for design and construction of the roadway.

The Acting City Manager stated, as part of the agreement, the Engineering Division would perform the roadway design and would be reimbursed by the Federal funds. In order to receive the funding the project must adhere to the Utah Department of Transportation (UDOT) design process. The estimate for the total design cost was \$225,270.00, with West Valley City required to pay an upfront match of 6.77% of the total design cost, or \$15,250.78, which would be part of the matching funds for the whole project. He indicated because the project would be

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designed by City staff, the Federal funds would pay for the City's design costs at approximately \$210,019.22.

After discussion, Councilmember Vincent moved to approve Resolution No. 10-19, a Resolution Authorizing the Execution of a Cooperative Agreement between West Valley City and the Utah Department of Transportation for Design and Construction of the 1200 West Connector Road. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

14839

RESOLUTION NO. 10-20, APPROVE A POLICY FOR PERMANENT MONUMENTS IN PARKS AND ON OTHER CITY PROPERTY

Acting City Manager, Russ Willardson, presented proposed Resolution No. 10-20 which would approve a policy for permanent monuments in parks and other City property.

Mr. Willardson stated the proposed policy would provide for reviewing and accepting/rejecting permanent monuments for placement in City parks and other City-owned public facilities.

He also stated the City had and would continue to receive requests for placement in parks and other publicly owned facilities of monuments of varying types and sizes honoring groups and individuals. He indicated currently no review procedure or evaluation criteria existed to guide the City in the review of this type of proposal. He advised that no policy existed to guide an individual or group desiring to provide a monument to the City outlining what would be an acceptable permanent monument.

Mr. Willardson reported the proposed policy established two review boards, one for parks and one for other City properties. He stated boards would be comprised of the City Manager, Department Head, City Council members and at-large members. He indicated criteria would be set forth in the policy for each board to use in reviewing monument proposals allowing it to determine compliance with the City's Mission Statement. Both review boards would accept applications for

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monument placement and review each proposal applying the established criteria to determine acceptability.

The Acting City Manager also reported the City recently received a request to include a soldier's monument in one of the City parks. He indicated that while the proposal seemed reasonable and genuine, there was no policy in place to allow or disallow the proposal. Additionally, there had been recent case law outlining what municipalities could allow in parks and what they must do to properly review and provide a determination regarding acceptability of monuments. He stated the Lehi, Utah, case had been used as a guide in developing the City's policy.

After discussion, Councilmember Christensen moved to approve Resolution No. 10-20, a Resolution Authorizing the Execution of a Policy for Permanent Monuments in Parks and on Other City Property. Councilmember Brooks seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

14840 **RESOLUTION NO. 10-21, AUTHORIZE THE PURCHASE OF A MICROSOFT SQL SERVER SOFTWARE UPGRADE AND NEW SERVER HARDWARE FROM WESTERN STATES CONTRACTING ALLIANCE (WSCA) THROUGH VALCOM COMPUTER CENTER IN ORDER TO SUPPORT THE CITY'S DATABASE INFRASTRUCTURE**

Acting City Manager, Russ Willardson, presented proposed Resolution No. 10-21 which would authorize the purchase of a Microsoft SQL server software upgrade and new server hardware from Western States Contracting Alliance (WSCA) through Valcom Computer Center, in the amount of \$35,009.76, in order to support the City's database infrastructure.

Mr. Willardson stated the existing SQL server had reached end of life and no longer had the capacity to support the City's database infrastructure. He further stated formal bidding would not be required because this vendor held a contract with the State of Utah. He indicated, if approved, the purchase would replace the City's SQL database server with increased capacity and the latest version of Microsoft SQL software. The need for this purchase was due to additional

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applications the City had installed that required SQL server to function, the growth of existing databases and the age and reliability of the server hardware. Additionally, several of our software vendors required the City to use the latest version of Microsoft software. He stated the purchase included the database server equipment along with maintenance and support for a four-year period. He further advised this amount would be financed through the HP Lease Purchase Agreement previously approved on January 3, 2006, under Resolution No. 06-04, a four-year lease.

After discussion, Councilmember Brooks moved to approve Resolution No. 10-21, a Resolution Authorizing the Purchase of a Microsoft SQL Server Software Upgrade and New Server Hardware from Western States Contracting Alliance (WSCA) through Valcom Computer Center in Order to Support the City's Database Infrastructure. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Christensen	Yes
Mayor Pro Tem Rushton	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, FEBRUARY 23, 2010, WAS ADJOURNED AT 6:48 P.M., BY MAYOR PRO TEM RUSHTON.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, February 23, 2010.

Sheri McKendrick, MMC
City Recorder